

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-7, 9-10, and 14-25 were pending in the application, of which Claims 1, 20, and 21 are independent. In the Final Office Action dated December 24, 2008, Claims 1-7, 9-10, and 14-25 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-7, 9-10, 14-25, and 31-34 remain in this application with new Claims 31-34 being added by this Amendment. Applicant hereby addresses the Examiner's rejections in turn.

I. Interview Summary

Applicant thanks Examiner Spooner for the courtesy of a telephone interview on February 23, 2008, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the cited references do not render obvious the claims as currently amended. In agreement, the Examiner stated that the claims overcome the cited references, but that an updated search would be necessary. No patentability agreement was reached.

II. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Final Office Action dated December 24, 2008, the Examiner rejected Claims 1-7 ,9-10, 15-17, 19, 21-22, and 24-25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,956,681 ("Yamakita") in view of U.S. Patent No. 6,868,525 ("Szabo"), U.S. Patent No. 7,082,681 ("Butler"), U.S. Patent No. 6,950,831 ("Haley"), and U.S. Patent No. 6,975,983 ("Fortescue"). In addition, independent Claim

20 was rejected as being unpatentable over *Yamakita* in view of *Haley* and *Fortescue*, and dependent Claims 14, 18, and 23 were rejected as being unpatentable over *Yamakita*, in view of *Szabo*, *Butler*, *Haley*, *Fortescue*, and U.S. Patent No. 6,434,567 ("*De La Huerga*"). Independent Claims 1, 20, and 21 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited references for at least the reason that it recites, "a first grammar associated with a union of data from a plurality of user data sources, the union of data from the plurality of user data sources being a context free grammar built from a union of a contacts list, a global address book, and a list of first and last names." Amended Claims 20 and 21 each include a similar recitation. Support for these amendments can be found in the specification at least on page 10, lines 18-26 and Table 1.

In contrast, and as stated by the Examiner, *Yamakita*, as modified by *Szabo*, *Butler*, and *Haley*, does not disclose a grammar comprising data from user data sources. (See Office Action page 7, lines 8-10.) Consequently, *Yamakita*, as modified, cannot disclose grammar associated with user's contacts list, global address book, and name listings. Accordingly, *Yamakita*, *Szabo*, *Butler*, and *Haley* fail to disclose a context free grammar built from a contacts list, a global address book, and a name listing.

Furthermore, *Fortescue* does not overcome *Yamakita*'s, *Szabo*'s, *Butler*'s, and *Haley*'s deficiencies. For example, *Fortescue* merely discloses a data structure for defining grammar rules for natural language recognition. (See col. 2, lines 9-10.) An

input to *Fortescue*'s data structure is received and analyzed to identify positions in the grammar rules at which pauses can occur in the natural language input. (See col. 2, lines 11-12.) Multimodal input systems in *Fortescue* may be applied in which the first modality is the natural language input and a second modality comprises associated events, such as mouse clicks or gestures. (See col. 2, lines 51-55.) Nowhere, however, does *Fortescue* disclose a grammar database associated with user's contacts list, global address book, and name listings. Rather, *Fortescue* discloses multimodal input systems from a speech source and a mouse source. Accordingly, like *Yamakita*, *Szabo*, *Butler*, and *Haley*, *Fortescue* fails to disclose a context free grammar built from a contacts list, a global address book, and a name listing.

Combining *Yamakita* with *Szabo*, *Butler*, *Haley*, and *Fortescue* would not have led to the claimed invention because *Yamakita*, *Szabo*, *Butler*, *Haley*, and *Fortescue*, either individually or in any reasonable combination, at least do not disclose "a first grammar associated with a union of data from a plurality of user data sources, the union of data from the plurality of user data sources being a context free grammar built from a union of a contacts list, a global address book, and a list of first and last names," as recited by amended Claim 1. Amended Claims 20 and 21 each includes a similar recitation. Accordingly, independent Claims 1, 20, and 21 each patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 1, 20, and 21.

Dependent Claims 2-7, 9-10, 14-19 and 22-25 are also allowable at least for the reasons described above regarding independent Claims 1, 20, and 21, and by virtue of their respective dependencies upon independent Claims 1, 20, and 21. Accordingly,

Applicant respectfully requests withdrawal of this rejection of dependent Claims 2-7, 9-10, 14-19 and 22-25.

III. New Claims

Claims 31-34 have been added to more distinctly define and to round out the protection for the invention to which Applicant is entitled. Applicant respectfully submits that these claims are allowable over the cited art and that they add no new matter.

IV. Conclusion

Applicant respectfully requests that this Amendment After Final be entered by the Examiner, placing the claims in condition for allowance. Applicant respectfully submits that the proposed amendments of the claims do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, Applicant respectfully submits that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing, Applicant respectfully submits that the pending claims, as amended, are patentable over the cited references. The preceding arguments are based only on the arguments in the Final Official Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the

Final Official Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Final Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
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